



by JACK ANDERSON

WASHINGTON — Justice Lewis F. Powell, Jr., was the model of a moderate, reasonable, judicious legalist during his Senate confirmation hearings last November.

Even before his appearance, the FBI report on him was so favorable that Senate Judiciary Chairman James Eastland, D-Miss., didn't wait to hear the testimony. He opened the hearings with the statement:

"Mr. Powell, I have read the FBI files on you; it was a full field investigation. I certainly think you are highly qualified and I am going to vote to confirm you."

Agreed Sen. Sam Ervin, D-N.C.: "It will afford me pleasure to vote for you. I have no reservations."

The FBI, however, had missed — and the senators, therefore, were unaware of — a confidential document that Powell drafted two months before his Supreme Court

appointment. It was a blueprint for an assault by Big Business on its critics.

His views were so militant that it raises a question about his fitness to decide any case involving business interests. He called upon businessmen to mount a high-powered political action campaign and "to penalize politically" the opposition.

The battle should be waged, he urged, in the courts, on the campuses and in the media. He encouraged businessmen to contact university trustees about "balancing" faculties, to "evaluate" college textbooks and to "monitor" TV programs. It was not a campaign, he said, "for the fainthearted."

In an earlier column, we published excerpts from Powell's confidential, 33-page memo, which is now being circulated among top corporate executives

by the U.S. Chamber of Commerce. Here are additional highlights:

"The American economic system is under broad attack . . ." Powell wrote passionately, from "the Communists, New Leftists and other revolutionaries" as well as from "perfectly respectable elements of society." He identified consumer crusader Ralph Nader as "perhaps the single most effective antagonist of American business."

Having identified the enemies, Powell appealed: "The time has come — indeed, it is long overdue — for the wisdom, ingenuity and resources of American business to be marshaled against those who would destroy it."

He complained that "the enterprise system tolerates, if not participates in, its own destruction." He noted that American business finances the colleges "from which much of the criticism emanates."

And he added significantly:

"Most of the media, including the national TV systems, are owned and theoretically controlled by corporations which depend upon profits and the enterprise system to survive."

Emphasizing the "predominate role" of television in "shaping the thinking, attitudes and emotions of our people," he boldly advocated:

"The national television networks should be monitored in the same way that textbooks should be kept under constant surveillance. This applies not merely to so-called educational programs, such as 'Selling of the Pentagon,' but to the daily 'news analysis' which so often includes the most insidious type of criticism of the enterprise system . . ."

"This monitoring, to be effective, would require constant examination of the texts of adequate samples of programs. Complaints — to the media and to the Federal Communications Commission — should be made promptly and strongly when programs are unfair or inaccurate."

Powell also contended that American business is threatened by "inequitable taxation" and "an inflation which has seemed uncontrollable." He cautioned, however, against President

Nixon's method of controlling it.

"The recent freeze of prices and wages," he wrote, "may well be justified by the current inflationary crisis. But if imposed as a permanent measure, the enterprise system will have sustained a near fatal blow."

The "fundamental premise of this paper," he concluded, was to warn "that business and the enterprise system are in deep trouble and the hour is late."

MARKSMEN IN CAIRO —

After the eleven Israeli Olympic athletes were murdered in Munich, the United States seriously considered withdrawing from an international military shooting meet in Cairo.

To some, it seemed grotesque for an American shooting team to fire its guns in a country which has encouraged terrorists.

But a classified cable from our diplomatic mission in Cairo urged Secretary of State Bill Rogers to permit the American marksmen to participate.

"On balance," said the September 12 cable, "USINT (the U.S. mission) favors participation U.S. military team . . . provided GOE (government of Egypt) makes proper security and logistical arrangements."

This was put up to Egypt's tight-lipped Deputy Chief of Protocol Aziz Hama at the Foreign Ministry in Cairo. Hama "made no comments on security, but he 'assumed team members would be in civilian clothing'," the confidential cable reported.

Despite this lack of Egyptian enthusiasm, the State Department, perhaps mindful that it was a ping-pong match which warmed up American-Chinese relations, decided to send a military shooting team to Cairo.